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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,817	02/10/2004	David Paul Yach	1578.115 (11428-4-US-PAT)	8167
44298	7590	06/24/2011	EXAMINER	
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Kelly-Krause				
ART UNIT				
PAPER NUMBER				
2166				
NOTIFICATION DATE				
DELIVERY MODE				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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portfolioprossecution@rim.com

### Office Action Summary

**Application No.**

10/775,817

**Applicant(s)**

YACH ET AL.

**Examiner**

JOHNESE JOHNSON

**Art Unit**

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 March 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3-12, 14-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-12, 14-18 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Transposition of Patent Drawing Review (PTO-940)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3-24-2011 has been entered.

***Remarks***

2. In response to the Amendment filed on 3-24-2011, claims 1, 3-12, 14-18 and 20 are pending in this application.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 4, 7-12, 14, 15, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Man Hak Tso (US Pat. No. 5,706,509) in view of Multer (US PG. Pub. No. 2001/00448051).

As to claim 1, Man Hak Tso discloses:

a first change list creator embodied at the selected one of the network-copy database and mobile-copy database, said first change list creator configured to create a first change list that lists change indicia of each change made to the selected one of the network-copy database and mobile-copy database during a selected time period during which one of the network-copy database and the mobile-copy database are changed (see col. 5, lines 24-55 and figures 4a and 4b);

a first change list identifier, embodied at the selected one of the network-copy database and mobile-copy database, said change list identifier providing an identifier value to the first change list creator, said identifier value uniquely identifying the first change list that is made by the first change list creator during said selected period (see col. 5, lines 24-55 and figures 4a and 4b); and

a transmitter that communicates the ~~first change list~~ identifier value at a time apart from a communication of the first change list following commencement of the synchronization session (see figure 4b item 320).

However, Man Hak Tso does not explicitly disclose:

a first change-list lock that prohibits any changes to the first change list created by said first change list creator and which is identified by said identifier value, said first change

list lock configured to lock the first change list, thereby to prohibit changes to the first change list identified by said identifier value upon commencement of the synchronization session which synchronizes the network copy database to the mobile copy of the database, the selected time period defined by locking of the first change list by said first change-list lock .

Multer discloses:

a first change-list lock that prohibits any changes to the first change list created by said first change list creator and which is identified by said identifier value, said first change list lock configured to lock the first change list, thereby to prohibit changes to the first change list identified by said identifier value upon commencement of the synchronization session (see paragraph [0202]; wherein locking is performed before synchronization is initiated) which synchronizes the network copy database to the mobile copy of the database, the selected time period defined by locking of the first change list by said first change-list lock (see paragraph [0212], lines 1-2; wherein the locks prevent changes during synchronization and paragraph [0224]; wherein locks are initiated so that no changes may be made during synchronization).

It would have been obvious, at the time the invention was made, to have modified the teachings of Man Hak Tso by the teachings of Multer to prevent device engines accessing the same data at the same time (see Multer, paragraphs 202, 212, and 224).

As to claim 3, Man Hak Tso, as modified, discloses:

wherein the identifier value comprises a numerical value (see Man Hak Tso, figure 4b).

As to claim 4, Man Hak Tso, as modified, discloses:

wherein the numerical value uniquely identifies the first change list (see Man Hak Tso, figure 3a, item 304).

As to claim 7, Man Hak Tso, as modified, discloses:

further comprising a register to store a prior-associated value previously associated with a previously-generated change list formed prior to a prior synchronization session, and wherein the numerical value used by said change list identifier indicator is incrementally related to the prior-associated value (see Multer et al. paragraphs [0009] - database sync., [0212], line 2, and [0020] 6-7; wherein the selected log is received).

As to claim 8, Man Hak Tso, as modified, discloses:

wherein session state information is communicated between the mobile node and the network part upon commencement of a database synchronization session and wherein the identifier value ~~identification~~ formed by said change list identifier forms part of the session state information (see Multer et al., paragraph [0212], lines 1-2; wherein the session state information discloses identifies which log is locked and/or being updated).

As to claim 9, Man Hak Tso, as modified, discloses:

wherein, once locked by said first change-list lock, the first change list created by said first change list creator remains locked while at least one change indicia is contained in the first change list (see Multer et al., paragraph [0212], lines 2-3- locked during continuation of synchronization).

As to claim 10, Man Hak Tso, as modified, discloses:

wherein the change indicia contained in the first change list created by said change list creator comprises new-record indicia representative of at least a first record added to the selected one of the network-copy database and mobile-copy database (see Man Hak Tso, figure 4b – item 324 - new data set).

As to claim 11, Man Hak Tso, as modified, discloses:

wherein the change indicia contained in the first change list created by said change list creator comprises altered record indicia representative of at least a first change (see Man Hak Tso, figure 4b – item 321).

As to claim 12, Man Hak Tso discloses:

creating a first list, which lists change indicia of each change made to the selected one of the network copy database and the mobile copy database during a selected period (see col. 5, lines 24-55 and figures 4a and 4b);  
associating a unique identifier with said first change list, said unique identifier uniquely identifying the first change list (see col. 5, lines 24-55 and figures 4a and 4b);

initiating a synchronization session (see figure 2); and  
communicating the unique first change list identification identifier over a radio air interface following synchronization session initiation and prior to communicating the first change list over the radio air interface (see figure 4b item 320).

However, Man Hak Tso does not explicitly disclose:

locking the first change list identified by said unique identifier upon commencement of the synchronization session to thereby prohibit any changes to the first change list after the commencement of the synchronization session, the selected period end defined by the locking of the first list.

Multer discloses:

locking the first change list identified by said unique identifier upon commencement of the synchronization session to thereby prohibit any changes to the first change list after the commencement of the synchronization session (see paragraph [0202]; wherein locking is performed before synchronization is initiated) , the selected period end defined by the locking of the first list (see paragraph [0212], lines 1-2; wherein the locks prevent changes during synchronization and paragraph [0224]; wherein locks are initiated so that no changes may be made during synchronization).

It would have been obvious, at the time the invention was made, to have modified the teachings of Man Hak Tso by the teachings of Multer to prevent device engines accessing the same data at the same time (see Multer, paragraphs 202, 212, and 224).



As to claim 14, Man Hak Tso, as modified, discloses:

wherein the unique identifier associated with the first change list during said operation of associating comprises a numerical value (see Man Hak Tso, figure 4b).

As to claim 15, Man Hak Tso, as modified, discloses:

wherein the numerical value associated during said operation of associating with the first change list uniquely identifies the first change list (see Man Hak Tso, figure 3a, item 304).

As to claim 18, Man Hak Tso, as modified, discloses:

wherein locking the first change list is performed after a decision is made to send the first change list between the mobile node and the network part (see Multer et al. paragraphs [0009] - database sync., [0212], line 2, and [0020] 6-7; wherein the selected log is received).

As to claim 20, Man Hak Tso, as modified, discloses:

wherein, once locked during said operation of locking, the first change list remains locked while at least one change indicia is contained in the first change list (see Multer et al., paragraph [0212], lines 2-3- locked during continuation of synchronization).

5. Claims 5-6 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Man Hak Tso (US Pat. No. 5,706,509) in view of Multer (US PG. Pub. No. 2001/00448051) and further in view of Cha (US PG. Pub. No. 2002/0116404).

As to claim 5, Man Hak Tso does, as modified by Multer, not explicitly disclose:  
further comprising a register to store a prior-associated value previously associated with a previously-generated change list formed prior to a prior synchronization session, and wherein the numerical value used by said change list identifier indicator is incrementally related to the prior-associated value.

Cha discloses:  
further comprising a register to store a prior-associated value previously associated with a previously-generated change list formed prior to a prior synchronization session, and wherein the numerical value used by said change list identifier indicator is incrementally related to the prior-associated value (see paragraph [0035], line 6 and [0051], lines 12-16).

It would have been obvious, at the time of the invention, having teachings of Man Hak Tso, Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Man Hak Tso, Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

As to claim 6, Man Hak Tso does, as modified by Multer, not explicitly disclose:

wherein said change list identifier increments the prior-associated value by an integer value to form the numerical ~~identification~~-value.

Cha discloses:

wherein said change list identifier increments the prior-associated value by an integer value to form the numerical ~~identification~~-value (see paragraph [0057]).

It would have been obvious, at the time of the invention, having teachings of Man Hak Tso, Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Man Hak Tso, Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

As to claim 16, Man Hak Tso does, as modified by Multer, not explicitly disclose: further comprising the operation of storing at a register a prior-associated value previously associated with a previously-used change list formed prior to a prior synchronization session, and wherein the unique identifier ~~identity~~ used during said operation of associating is incrementally related to the prior-associated value .

Cha discloses:

further comprising the operation of storing at a register a prior-associated value previously associated with a previously-used change list formed prior to a prior synchronization session, and wherein the unique identifier ~~identity~~

used during said operation of associating is incrementally related to the prior-associated value (see paragraph [0035], line 6 and [0051], lines 12-16).

It would have been obvious, at the time of the invention, having teachings of Man Hak Tso, Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Man Hak Tso, Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

As to claim 17, Man Hak Tso does, as modified by Multer, not explicitly disclose: wherein said operation of associating comprises incrementing the prior-associated value by an integer value to form the unique ~~identifier identity value~~.

Cha discloses:

wherein said operation of associating comprises incrementing the prior-associated value by an integer value to form the unique ~~identifier identity value~~. (see paragraph [0057]).

It would have been obvious, at the time of the invention, having teachings of Man Hak Tso, Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Man Hak Tso, Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

***Response to Arguments***

6. Applicant's arguments with respect to claims 1, 3-12, 14-18 and 20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHNESE JOHNSON whose telephone number is (571)270-1097. The examiner can normally be reached on 4/5/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. J./  
Examiner, Art Unit 2166

June 17, 2011  
JJ

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/Khanh B. Pham/  
Primary Examiner, Art Unit 2166